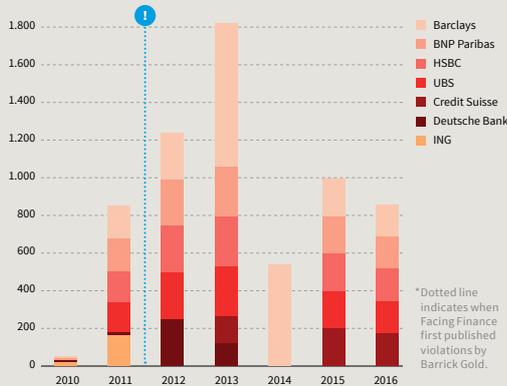


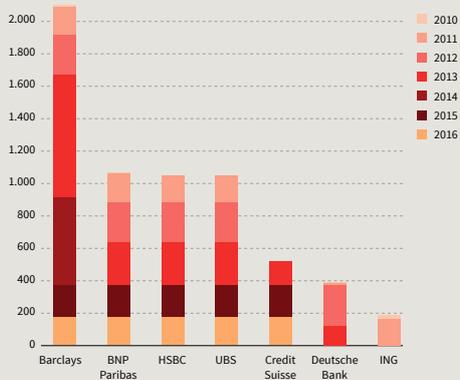
Company Responded to Facing Finance regarding allegations	No
Significant concerns	Environmental damage, riverine tailings disposal, human rights violations, excessive use of force by security personnel.
Potential Norm Violations	ICCPR, ICESCR, Voluntary Principles on Security and Human Rights, UN Guiding Principles on Business and Human Rights, OECD Guidelines for Multinational Enterprises, ICMM including the right to water and a clean environment, access to effective remedy and the elimination of discrimination against women.
Company ranking on CHRB	Not covered.
Voluntary Commitments	UN Global Compact, Voluntary Principles on Security and Human Rights, ICMM, EITI
Facing Finance Category	The Pits: Extremely poor performer

Barrick Gold

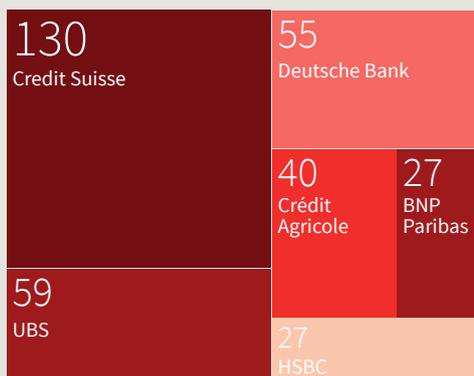
Capital provision by year – all loans, bond and equity underwritings (€ Million)



Capital provision by bank – all loans, bond and equity underwritings (€ Million)



Management of shares and bonds by top banks (in € Million):



Digging for Justice: Progress on previously reported cases

Barrick Gold has been included in three Dirty Profits reports, starting with the first edition in 2012. Due to its continued poor commitment to human rights and environment the company has been excluded by numerous investors, including PGB, KLP and AP7 (see Appendix 1).⁴² Violations have occurred at many of its global operations, we have covered some of these in our previous reports including Pascua Lama (Chile), Pueblo Viejo in the Dominican Republic, Porgera in Papua New Guinea as well as at Buzwagi, Bulyanhulu, and North Mara in Tanzania. In relation to the last three mines, community compensation for land has still not been adequate and there are still deep frustrations with the mine and its operations.⁴³

Despite being a signatory to the UN Global Compact, the Voluntary Principles on Security and Human Rights, the ICMM, and the Extractive Industries Transparency Initiative, Barrick has not improved on its human rights or environmental performance since Facing Finance first reported in 2012.⁴⁴ Barrick Gold has not engaged with Facing Finance despite repeated attempts to contact the company. This has resulted in the categorisation of Barrick Gold as “The pits: extremely poor performer”.

In 2016 one of the shareholder lawsuits against Barrick, related to withholding information from shareholders about the company’s failure to comply with environmental regulations at the Pascua Lama mine, was resolved and the company had to pay \$140 million to settle.⁴⁵ This is not the only shareholder lawsuit in relation to this and another is still pending⁴⁶. Barrick formed a partnership with Shandong to develop the mine, which has been suspended since 2013 due to serious environmental damage. In early 2018 the Chilean regulators ordered the closure of the Pascua Lama mine on the Chilean side, due to the serious environmental violations.⁴⁷

In a new case, not previously covered in the Dirty Profits reports, Barrick and Shandong Gold spilled more than a million litres of toxic cyanide in September 2015 at the Veladero Mine in Argentina. The spill contaminated five rivers and the company was given a US\$9.3-million dollar fine. In 2016, only one year later, a second cyanide spill occurred at the mine. At the time of the first spill Barrick claimed it would strengthen controls and safeguards, however, the second spill indicates a lack of commitment to these claims.⁴⁸

Barrick Gold’s global operations have potentially violated core human rights instruments, including but not limited to, the International Covenant on Civil and Political Rights (which includes



▲
 Villagers in the shadow of Barrick's
 North Mara Gold Mine 2017
 © Catherine Coumans, MiningWatch Canada

From Africa to Papua New Guinea: violent security forces, sexual assault, and death at Barrick's mines.

in Art. 2 the right to remedy), the International Covenant on Economic, Social and Cultural rights, the International Convention on the Elimination of all Forms of Racial Discrimination⁴⁹ and the Convention of the Elimination of Discrimination Against Women.⁵⁰ The evidence also appears to show that Barrick Gold has violated environmental conventions and standards, such as the right to water and a clean environment for communities surrounding its mines. Barrick Gold is also in apparent violation of the voluntary agreements to which it is party, for example the Voluntary Principles on Security and Human Rights (including that private security should act with restraint and caution as detailed in Principle 3),⁵¹ the ICCM (in particular Principle 3)⁵², and the OECD Guidelines for Multinational Enterprises.

The North Mara Gold Mine Ltd. underground and open pit gold mine, located in the Tarime district of the Mara region of Tanzania, is operated by the African subsidiary of the Barrick Gold majority-owned, Acacia Mining.⁵³ This mine continues to be plagued by violence by public and private security forces against local indigenous Kuria men and women who seek to eke out a living, primarily, on the mine's waste dumps.⁵⁴ Men and women are severely beaten, primarily men are shot, resulting in death and maiming and women have experienced rape and gang rape.⁵⁵ As a lawsuit by UK-based Leigh Day on behalf of claimants of excess use of force by mine security got underway in 2013, the company created an ad hoc and non-transparent remedy mechanism, which it used to persuade Leigh Day's clients⁵⁶ to drop their suit, accept a non-equitable remedy from the company, and sign legal waivers prohibiting them from seeking judicial remedy.

MiningWatch Canada has interviewed close to a hundred victims, family members of victims, and witnesses of excess use of force by the mine's private and public security forces in yearly visits to the site

since 2014. These interviews indicate that the violence is ongoing. The Tanzanian government has investigated the violence and reported on it in a 2013 report⁵⁷ and again in an investigation and report in 2016 that confirmed investigators had receiving claims that 65 people have been killed and 270 people injured by police responsible for mine security.⁵⁸ Local human rights defenders put the numbers much higher and the 2016 government report did not report on deaths and injuries resulting from altercations between villagers and private mine security. In 2017, MiningWatch Canada reported another local Kuria man was shot dead by mine security.⁵⁹

Victims that accepted remedy from the mine's grievance mechanism commonly report a discrepancy between what they were promised orally and what they received and that the remedy they received does not compensate for the ongoing harm caused to them and their dependents by their assault.⁶⁰ Most of the victims interviewed by MiningWatch who launched claims with the mine since the Leigh Day suit was settled have had their claims rejected without a clear basis.⁶¹ While the company says it is now revising its remedy

mechanism, this process remains opaque. This revision is taking place even as a new suit is being prepared on behalf of victims of violence by the mine's security.⁶²

In addition to human rights concerns related to excess use of force by mine security, MiningWatch Canada has also documented four deaths in 2016 and 2017 as a result of drownings in a mined-out pit after the mine removed security walls,⁶³ and ongoing concerns regarding mine-related contamination of nearby rivers, and harm caused by excess dust along the main road that transports ore to the processing facilities.⁶⁴

At the Porgera Joint Venture (PJV) gold mine, in Porgera, Papua New Guinea,⁶⁵ Barrick continues to dump its waste rock and tailings, containing mercury, arsenic, cadmium, copper, lead, zinc, as well as milling chemicals, including cyanide⁶⁶ directly into local river systems. This uncontained disposal of waste continues to erode away adjacent land in the steep mountain valleys putting village structures and people at risk and exacerbating an already dire and longstanding problem⁶⁷ of lack of land for subsistence farming and food security. In 2009 the Norwegian Pension Fund divested from Barrick over this unacceptable waste disposal practices at the PJV mine.⁶⁸

Loss of land and sources of clean water due to the open pit, the mine's infrastructure and processing facilities, and the massive waste dumps have left indigenous Ipili villagers living in overcrowded and unhealthy conditions. As they now have to buy food and water, the community largely relies on panning for gold in the mine's polluted waste flows. This puts the men, women and children who participate in this means of livelihood at continuous risk from chemical contamination. In July of 2017, villagers reported to MiningWatch Canada that more than a hundred people had been burned by waste dumped into an area where they were panning for gold. Although Barrick acknowledged the release and resulting casualties in a brief statement on July 15,⁶⁹ and provided some further information in response to a letter from MiningWatch,⁷⁰ it

is still unclear how many people will need long-term treatment and whether the company will provide compensation for the injuries.

Villagers who enter the waste flows to eke out a living are also vulnerable to attack by the mine's public and private security forces. There is a long history of men and women being severely beaten, men shot at and killed, and women and girls raped and gang raped.⁷¹ After years of denial, Barrick implemented a severely flawed⁷² remedy program, only accessible for victims of sexual assault by private security. In November 2016, all 119 women who had received remedy through this program, in return for signing legal waivers, filed a complaint⁷³ with the UN Working Group on Business and Human Rights critiquing both the process they had endured and the remedy they had received. Many other women who allege rape by mine security were unaware or unprepared to participate in the mechanism. They were represented by Joycelyn Mandi at Barrick's AGM in 2017, herself a teenager when she was raped by mine security.⁷⁴ These neglected victims of violent assault by mine security and the ongoing violence against local community members⁷⁵ poses a legal risk for Barrick. In March 2017, numerous houses in the village of Kewanja, inside the mine lease area, were

once again burnt down by the mine's public security forces leaving families homeless.⁷⁶

The mine's ongoing waste disposal into the environment has a downstream footprint of hundreds of kilometres anticipated to maintain a deleterious impact for a hundred years or more⁷⁷.

This poses a significant financial risk. Barrick has not made public a closure plan or projected costs associated with closure, but the expense must be anticipated as many times more than in the case of mines that contain their waste as per international standards, particularly as there are no precedents for closure of a mine such as PJV.

→ MiningWatch Canada

"The company's guards raped us. The company ignored us for years. When the company finally created a remedy program, we 119 women went to it. But the remedy was not fair. We did not get everything that we were promised. We call for the support of the UN because Barrick Gold is ignoring our call to pay us equal compensation."⁷⁸

Everlyn Gaupe, one of the women harmed by the company's actions and now seeking justice.